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ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS

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ORIGINAL

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CHIEF CLERK'S OFFICE

MENARD ELECTRIC COOPERATIVE,)

Complainant,)

vs)

No. 01-0443

CENTRAL ILLINOIS PUBLIC SERVICE)

COMPANY, d/b/a AMERENCIPS)

Respondent.)

RESPONSE BY MENARD ELECTRIC COOPERATIVE
TO CENTRAL ILLINOIS PUBLIC SERVICE COMPANY d/b/a AMERENCIPS
AFFIRMATIVE DEFENSE

MENARD ELECTRIC COOPERATIVE, Complainant, (Menard), by GROSBOLL, BECKER, TICE & REIF, in answer to the Affirmative Defense to Count I filed by CENTRAL ILLINOIS PUBLIC SERVICE COMPANY, d/b/a AMERENCIPS, Respondent, (CIPS) states as follows:

1. Menard has insufficient information with which to either admit or deny the allegations of paragraph 1 of the CIPS Affirmative Defense and therefore denies the same and demands strict proof thereof.

2. Menard did not receive notice of the CIPS extension to the Mileur residence and such extension was made by CIPS in violation of the Electric Supplier Act. Any relinquishment by Menard of Section 5 rights pertained only to the Mileur residence.

3. Menard denies the allegations of paragraph 3 of the CIPS Affirmative Defense to Count I.

WHEREFORE, Menard Electric Cooperative requests the Illinois Commerce

Commission to deny the prayer of CIPS in its Affirmative Defense and to grant the relief sought by Menard in its Complaint.

MENARD ELECTRIC COOPERATIVE,
Complainant,

By: GROSBOLL, BECKER, TICE & REIF

By: *Jerry Tice*
One of its attorneys

STATE OF ILLINOIS)
 : SS
COUNTY OF MENARD)

LYNN FRASCO, being first duly sworn upon his oath, deposes and states that he is the Manager of Menard Electric Cooperative in the above entitled cause of action, that he has read the above and foregoing Response to Affirmative Defenses filed by Central Illinois Public Service Company d/b/a AmerenCIPS, in the above matter and that the same is true in substance and in fact except as to those matters which are stated to be on information and belief and as to those matters he believes them to be true.

Lynn Frasco
Lynn Frasco

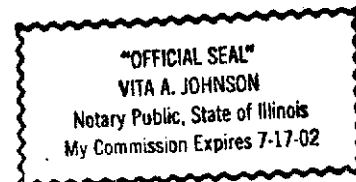
Subscribed and Sworn to before me

this 28 day of August, 2001.

Vita A. Johnson
Notary Public

GROSBOLL, BECKER, TICE & REIF
Attorney Jerry Tice
101 E. Douglas
Petersburg, IL 62675
Telephone: 217-632-2282

menesaffde443.jielec

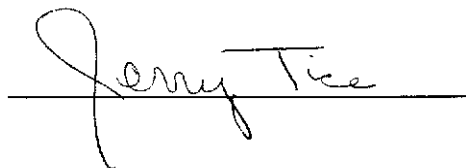


PROOF OF SERVICE

I, JERRY TICE, hereby certify that on the 28 day of Aug, 2001, I deposited in the United States mail at the post office at Petersburg, Illinois, postage fully paid, a copy of the document attached hereto and incorporated herein, addressed to the following persons at the addresses set opposite their names:

Scott Helmholz
Sorling, Northrup, Hanna, Cullen
& Cochran Ltd
Suite 800 Ill Bldg.
P.O. box 5131
Springfield, IL 62705

William Showtis
Hearing Examiner
Illinois Commerce Commission
527 E. Capitol
Springfield, IL 62701-1827

A handwritten signature in cursive script, reading "Jerry Tice", is written over a horizontal line.